



Attorney Docket No. 021617.0253PTUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Gil M. VARDI et al.

Group Art Unit: 3731

Application No.: 10/644,550

Examiner: Unassigned

Filed: August 21, 2003

Title: STENT WITH PROTRUDING BRANCH
PORTION FOR BIFURCATED VESSELS

PETITION UNDER 37 C.F.R. §1.47

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants respectfully petition, pursuant to 37 C.F.R. § 1.47, to accept the present application as being filed on behalf of the non-signing inventors.

OATH OR DECLARATION BY ALL AVAILABLE INVENTORS

Applicants submit herewith a copy of the September 17, 2003 Notice to File Missing Parts along with a declaration executed by all available inventors who were willing to sign.

IDENTIFICATION OF NON-SIGNING INVENTORS & LAST KNOWN ADDRESSES

Both Eitan Konstantino and Tanhum Feld are named inventors, and have refused to join the present application by signing of the declaration. Their last known address information is as follows:

03/18/2004 EAREGAY1 00000081 10644550

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130.00 0P

Eitan Konstantino
29 Meadows Park Court
Orinda, CA 94563

Tanhum Feld
Moshav Merhavia
19105 Israel

PROOF OF UNAVAILABILITY OR REFUSAL

Applicants submit herewith the Declarations of Marta Soto and Michele V. Frank in support of this petition. It is respectfully submitted that the Declarations and Exhibits attached thereto establish: (i) Eitan Konstantino and Tanhum Feld were presented with the application and declaration; (ii) were requested to join in the application by executing the declaration; and (iii) the conduct of Eitan Konstantino and Tanhum Feld constitutes a refusal to join in the application.

RELIEF REQUESTED & CONCLUSION

In light of the above, Applicants request that the present application be accepted as complete. To the extent that it is determined that relief is inappropriate pursuant to 37 C.F.R. § 1.47, Applicants hereby request that this petition be considered under to 37 C.F.R. § 1.181 and/or § 1.183.

The petition fee pursuant to 37 C.F.R. § 1.17(h) is submitted herewith.

Should this petition be considered insufficient, or the relief requested not be granted for any reason, Applicants respectfully request that this be considered a *bona fide* attempt to respond

to the Notice to File Missing Parts of September 17, 2003, and that Applicants be permitted an opportunity to supplement this response.

Respectfully submitted,

Date March 17, 2004
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By Michele Van Patten Frank
Michele Van Patten Frank
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